

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

V.

FRED T. MOORE,

Defendant.

CRIMINAL NO. 07-30027-WDS

ORDER

STIEHL, District Judge:

Before the Court is the government's motion to continue the trial in this matter. The government seeks a continuance on the grounds that an essential witness, the case agent, is unavailable for the current trial date of May 15, 2007. 18 U.S.C. §3161(h)(3)(A).

The Court has reviewed the record in this case **FINDS** that it is appropriate to continue the trial of this matter to allow the critical witness for the government to be available for trial. The Court **FURTHER FINDS** that counsel for the government has exercised due diligence in preparing for trial and that the presence of the witness cannot be reasonably obtained until after May 20, 2007. The Court **FURTHER FINDS** that the ends of justice would be best served by granting the continuance, and that they outweigh the best interests of the defendant in a speedy trial. 18 U.S.C. §§ 3161 (h)(8)(A) and (h)(8)(B)(iv).

Accordingly, the Court **GRANTS** the government's motion to continue the trial. This matter is rescheduled for trial on Tuesday, July 17, 2007, at 9:00 A.M. The final pre-trial in this matter is rescheduled for June 27, 2007, at 1:30 P.M.. All time between the filing of the motion to continue and the new trial date shall be excluded for speedy trial purposes.

IT IS SO ORDERED.

DATED: May 8, 2007.

s/ WILLIAM D. STIEHL
DISTRICT JUDGE